



## Notice of meeting of

### Scrutiny Management Committee

**To:** Councillors Galvin (Chair), Aspden, Pierce (Vice-Chair),  
Scott, Simpson-Laing, Taylor, R Watson and Waudby

**Date:** Monday, 23 February 2009

**Time:** 5.30 pm

**Venue:** The Guildhall

### AGENDA

#### 1. **Declarations of Interest**

At this point in the meeting, Members will be invited to declare any personal or prejudicial interests they may have in the business on the agenda.

#### 2. **Minutes** (Pages 3 - 6)

To approve and sign the Minutes of the meeting held on 17 December 2008.

#### 3. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Friday 20 February 2009 at 5 pm.

**4. Update on the Implementation of Recommendations of Previous Scrutiny Reviews** (Pages 7 - 12)

This report provides Members with update information on the implementation of recommendations made as a result of previously completed scrutiny reviews on Recycling and Reuse and City Centre Retailing.

**5. Update on the Work of Health Scrutiny Committee** (Pages 13 - 18)

This report presents a summary of the work undertaken by Health Scrutiny Committee since November 2008.

**6. Scrutiny Annual Report** (Pages 19 - 36)

This report presents the annual scrutiny report for scrutiny services detailing all of the reviews completed between May 2006 and December 2008.

**7. Protocol for Joint Scrutiny Reviews** (Pages 37 - 44)

This report presents Members with a revised protocol to enable York to host joint scrutiny reviews should the need arise. A draft of the protocol is attached at Annex A to the report.

**8. Any other business which the Chair decides is urgent under the Local Government Act 1972**

Democracy Officer:

Name: Jayne Carr

Contact details:

- Telephone – (01904) 552030
- E-mail – [jayne.carr@york.gov.uk](mailto:jayne.carr@york.gov.uk)

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

**A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088**

### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

### Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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### **Holding the Executive to Account**

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

### **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

### **Who Gets Agenda and Reports for our Meetings?**

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

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MEETING	SCRUTINY MANAGEMENT COMMITTEE
DATE	17 DECEMBER 2008
PRESENT	COUNCILLORS GALVIN (CHAIR), ASPDEN, FRASER (AS SUBSTITUTE FOR SCOTT), PIERCE (VICE-CHAIR), SIMPSON-LAING, TAYLOR, R WATSON AND I WAUDBY
APOLOGIES	COUNCILLOR SCOTT

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **26. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor Fraser declared a personal non-prejudicial interest in agenda item 4 (Final Report of the Health Scrutiny Committee – Dementia Review) as a member of the retired section of Unison.

Councillor Pierce declared a personal non-prejudicial interest in agenda item 4 (Final Report of the Health Scrutiny Committee – Dementia Review) as a member of the retired section of Unison and as his wife was a consultant psycho-geriatrician, although not with York Healthcare Trust.

### **27. MINUTES**

RESOLVED: That the minutes of the meeting of the Scrutiny Management Committee held on 17 November 2008 be signed as a correct record.

### **28. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

### **29. FINAL REPORT OF THE HEALTH SCRUTINY COMMITTEE – DEMENTIA REVIEW**

Members received a report which presented the final report from the Health Scrutiny Committee regarding their Dementia Review.

Members had the option to support all, some or none of the recommendations from the review, as detailed in paragraph 7 of the report,

and to provide their comments prior to the report being considered by the Executive.

The Chair of the Health Scrutiny Committee outlined the findings and recommendations from the review, and also recorded his thanks to the Scrutiny Officer and Democracy Officer for their work.

Members made the following comments on the final report:

- Welcomed the clarity of the report.
- Noted the large numbers of patients with dementia that had not been diagnosed and observed that some of the recommendations addressed but did not completely resolve this.
- Queried whether there was an on call liaison service at consultant level operating from Bootham Park Hospital and noted that the management of Bootham Park by the Primary Care Trust did not necessarily aid the integration of services.
- Expressed the view that some of the patient experiences detailed made for depressing reading and that the issues they raised needed to be flagged up with all interested parties.
- Recognised that there was lots of good work going on and significant progress had been made in recent years, despite the lack of support for staff, and that anecdotal evidence always tended to focus on problems.
- Expressed concern that carers could not get the information they needed because of patient confidentiality.

- RESOLVED:
- (i) That the contents of the final report and its annexes be noted, accepted and forwarded to the Executive;<sup>1</sup>
  - (ii) That thanks be recorded to all those who had participated in the review;
  - (iii) That copies of the report be sent to all interested parties, including service providers, consultees, the Secretary of State and the Chief Executive of the NHS, following its consideration by the Executive,<sup>2</sup> and a press release be issued publicising the work.<sup>3</sup>

REASON: To inform the Executive's consideration of the final report.

Action Required

- 1 - To schedule the report on the Forward Plan for consideration by the Executive; GR
- 2 - To include circulation of the report to interested parties in the appropriate workplan; GR
- 3 - To arrange with the Press Office for a press release to be issued at the appropriate time. GR

**30. SCRUTINY REVIEW SUPPORT BUDGET**

Members received a report which summarised the position to date on expenditure against the budget available specifically for supporting scrutiny reviews in 2008/9 and sought their views on the available budget for 2009/10, with a view to making a recommendation to Council as part of the budget setting process.

Members had the constitutional right to consider what recommendation they wished to make to Council in relation to the allocation of budget for supporting scrutiny reviews in 2009/10. Members also had the option to review the sum allocated for spend on each agreed review. It was reported that this amount was currently £250 and suggested that Members may wish to consider revising the sum initially awarded for reviews, by increasing it to £500.

Members highlighted the importance of increasing the budget for reviews, in relation to the ability to draw on external expertise, to hold events at outside venues and to effectively take on the expanding scrutiny role in relation to partnership organisations. The Chair of the Education Scrutiny Committee highlighted that additional funding was needed for that Committee's current review for the production of an additional flyer and hire of the Mansion House for an event.

- RESOLVED:
- (i) That the report and the current budget position be noted;
  - (ii) That it be agreed that the amount initially allocated for research supporting agreed reviews be increased to £500 per review for the remainder of the current financial year;<sup>1</sup>
  - (iii) That the amount initially allocated for research supporting agreed reviews in 2009/10 be considered after the working group considering the new scrutiny structure has reported.

REASON: To enable a robust scrutiny review support budget to be set for the 2009/10 financial year.

Action Required

1- To update the ledger and notify appropriate parties of the change to the budget. GR

**PART B - MATTERS REFERRED TO COUNCIL**

**31. SCRUTINY REVIEW SUPPORT BUDGET**

Members received a report which summarised the position to date on expenditure against the budget available specifically for supporting scrutiny reviews in 2008/9 and sought their views on the available budget for

2009/10, with a view to making a recommendation to Council as part of the budget setting process.

Members had the constitutional right to consider what recommendation they wished to make to Council in relation to the allocation of budget for supporting scrutiny reviews in 2009/10. Members also had the option to review the sum allocated for spend on each agreed review. It was reported that this amount was currently £250 and suggested that Members may wish to consider revising the sum initially awarded for reviews, by increasing it to £500.

RECOMMENDED: (i) That the budget for supporting scrutiny reviews in 2009/10 be £20k, subject to the outcome of the working group considering the new scrutiny structure.<sup>1</sup>

REASON: To enable a robust scrutiny review support budget to be set for the 2009/10 financial year.

Action Required

1 - To make arrangements to forward the recommendation to Budget Council. GR

Councillor J Galvin, Chair

[The meeting started at 5.00 pm and finished at 6.05 pm].





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## Scrutiny Management Committee

23<sup>rd</sup> February 2009

Report of the Head of Civic, Legal, Democratic Services

### Update on Implementation of Recommendations of Previous Scrutiny Reviews

#### Summary

1. This report provides Members with update information on the implementation of recommendations made as a result of previously completed scrutiny reviews on Recycling and Reuse and City Centre Retailing.

#### Background

2. At a previous meeting of Scrutiny Management Committee, Members requested an update on the implementation of the recommendations made as a result of all completed scrutiny reviews since 2004, which were subsequently approved by the Executive. Many have been presented and those where implementation has been completed have been signed off.

#### Consultation

3. Relevant officers have provided update information on the recommendations arising from the reviews and will be in attendance at the meeting to answer any questions.

#### Analysis

4. The review on Recycling and Reuse was completed in September 2006. Members of SMC have signed off many of the recommendations already and this report presents updated information on those that are still outstanding. The update on the implementation of the recommendations is provided at Annex A to this report.
5. The review of City Centre Retailing was completed in June 2004. Members of SMC have signed off many of the recommendations already and this report presents updated information on those that are still outstanding. The update on the implementation of the recommendations is provided at Annex B to this report.

#### Options

6. With regard to Annexes A and B, Members may choose to:

- a. Sign off those recommendations where implementation has been completed, or
- b. Request further updates to clarify any outstanding recommendations

### **Corporate Strategy**

- 7. The process of monitoring the implementation of approved recommendations will evidence our stated value to 'encourage improvement in everything we do'.

### **Implications**

- 8. There are no known Financial, Human Resources, Equalities, Legal, ITT or other implications associated with the recommendations in this report.

### **Risk Management**

- 9. In compliance with the Council's risk management strategy, there are no known risks associated with this report.

### **Recommendations**

- 10. Members are asked to note the contents of this report and agree which recommendations arising from previously completed scrutiny reviews can be signed off.

Reason: To raise awareness of those recommendations which have still to be implemented.

### **Contact Details**

**Author:**

Tracy Wallis  
Scrutiny Officer  
Scrutiny Services  
01904 551714

**Chief Officer Responsible for the report:**

Quentin Baker  
Head of Civic, Legal and Democratic Services  
01904 551030

**Report Approved**



**Date**

09.02.2009

**Wards Affected:**

**All**



**For further information please contact the author of the report**

**Background Papers:** None

### **Annexes**

**Annex A** – Update on Recycling and Reuse Review

**Annex B** – Update on City Centre Retailing Review

Board and Topic	Rec No.	Recommendations as approved by the Executive on 17 February 2006	Update on Recommendations as as November 2007	Update on Recommendations as of February 2009
<b>Commercial Services Scrutiny Board - Recycling &amp; Re-use (Review Completed September 2006)</b>	2	<p>That the City of York Council should consider the roll out recycling in Terraced Streets adopting the following good practice :</p> <p>i. Use slimmer recycling boxes with a smaller footprint for such areas to reduce impeding pedestrian use of pavements Officers to prepare a report for the next meeting of the Executive detailing the communication strategy for the Winter collection System and examining ways in which this can be done to reduce costs which can in turn be invested into the recycling</p> <p>ii. Ensure that changes to such services are communicated better to disabled people well in advance of the change and that this could be facilitated by using relevant advisory groups Officers to work with Equalities Officer to devise test schemes for box collection schemes in the City</p>	<p>Executive agreed 9/10/07 to begin trials in terraced areas. Various types of containers are to be tested during this trial. Equality issues will be addressed.</p>	<p>Budget approved for 2008/09 for the trial to start in the second half of the year. Work commenced 1st October 2008. Six streets with terraced properties, flats and businesses are now part of the trial. First results expected by March 09.</p>
	3	<p>That the City of York Council be recommended to consider paying Re-use Credits. That prior to the introduction of a scheme, Waste Strategy Officers at the City of York Council prepare a report for Member approval detailing;</p> <ul style="list-style-type: none"> <li>▪ Best practice schemes already running at other Local Authorities including information about the effectiveness of the North Yorkshire County Council scheme</li> <li>▪ The terms of an appropriate scheme</li> <li>▪ The likely cost impact of credits upon the authority</li> </ul>	<p>Re-use credits have been reviewed and considered too complicated to implement. There are issues that following re-use the product still has to be disposed of.</p>	<p>Re-use options reviewed again in November 2008. Audit difficulties still proving costly to administer. York Furniture Re-use store, Bike rescue etc being supported in other ways. Services at 'bring banks' have been expanded to incorporate re-use items for a number of charities.</p>
	4	<p>That the City of York Council be recommended to consider paying Re-use Credits for the Bike Rescue Project. Officers to develop ways for improved working with the Bicycle Recovery Project at the Household Waste Recycling Centres.</p>	<p>This is on-going</p>	
<b>Board and Topic</b>	<b>Rec No.</b>	<b>Recommendations as approved by the Executive on 17 February 2006</b>	<b>Update on Recommendations as as November 2007</b>	

<b>Commercial Services Scrutiny Board - Recycling &amp; Re-use (Review Completed September 2006)</b>	5	<p>That further cross corporate work be done with the project managers and officers in Education, Youth Offending, Equalities and Sustainability and to ensure benefit from potential funding opportunities The recycling team to continue to co-ordinate applications for funding which can be utilised corporately from external sources</p>	<p>Work continues with these officers.</p>	<p>Work continues with these officers.</p>
<p>recommendation 3, requested an explanation as to why a re-use credits system was considered too complicated to implement. Re recommendation 4, the payment of re-use credits for the Bike Rescue Project should be reconsidered and information on how the Bicycle Recovery Project was being monitored was requested Re Recommendation 5, further details of the ongoing work referred to in the update was requested.</p>				<p>Report presented to Neighbourhood Services EMAP October 08 with full explanation.</p>

Board and Topic	Rec No.	Recommendations as approved by the Executive on 26 Oct 2004	Update on Implementation of Recommendations as at July 2007	Update on Implementation of Recommendations as at February 2009
<b>Economic Development and Community Safety Board: City Centre Retailing (Review Completed June 2004)</b>	15	a) That the need to raise awareness about the location of York's key information points is acknowledged.	We are now at the advance stage of completing the City Centre Map Panels with updated information. Investment in both the Station and the De Grey Rooms Visitor Information Centres has improved customer service and satisfaction.	Updated City Centre Map Panels are in place at the National Railway Museum, Marygate, Exhibition Square, Museum Street, Esplanade Car Park, College Green, King's Square, Pavement and the Eye of York. There are also interactive information screens providing transport information, local news, maps and e-mail/internet access at Front Street in Acomb, Rougier Street, the Railway Station (x2), and Rawcliffe Park and Ride site. In addition the new Visitor Information Centre, managed by Visit York, is scheduled to open in May of this year, providing improved access to services and particularly for people with mobility disabilities. In addition to the existing service level, there will be; <ul style="list-style-type: none"> <li>· a specific zone for accommodation, including the 'book a bed ahead scheme'</li> <li>· a specific zone for tickets and events: the VIC will be a Ticketmaster agent</li> <li>· a specific travel zone – local, regional and national info both in and out of the city</li> <li>· itinerary planning – AV screens and terminals - and extensive digital signage and promotion to give a very modern feel</li> <li>· an improved retail offer – a larger range of local (York and Yorkshire) produce, including a refrigerated display cabinet for local/regional food produce</li> <li>· exhibition and sponsorship opportunities</li> </ul> The city's existing fingerpost scheme will be examined as part of the Public Realm Masterplan as part of the CCAAP  Car park maps (produced by Cityscape and sold via dispensers) have recently been updated (2009)
		b) That efforts to address this issue are supported.	See above.	
<b>Comment from Scrutiny Management Committee as of 23 July 2007:</b> The implementation of these recommendation 15 is not complete therefore it cannot be signed off. A further update to be provided via email				

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## Scrutiny Management Committee

23<sup>rd</sup> February 2009

Report of the Head of Civic, Democratic & Legal Services

### Update on the Work of Health Scrutiny Committee

#### Summary

1. This report presents a summary of the work undertaken by Health Scrutiny Committee since November 2008.

#### Background

2. The Health Scrutiny Committee was formed in May 2006 to carry out the statutory health scrutiny function, which was previously under the remit of the Social Services and Health Scrutiny Board.

#### Consultation

3. Since November 2008 the Committee have been working on the following topics:

##### Local Involvement Networks (LINKs)

4. LINKs are the independent, formally constituted bodies that have now replaced the Patient and Public Involvement Forums previously attached to all NHS Trusts. LINKs differ from previous systems as they are based on broad networks rather than on small specialist groups, involving representatives from organisations as well as individuals, and addressing issues across health and social care rather than focussing on individual organisations or services.
5. Since the last update to SMC governance arrangements for the LINK have been identified and agreed. Protocols covering complaints, membership, standards of conduct and expenses have also been established. Work is currently being undertaken on profiling of the local community, its health needs and current service provision. Work has been undertaken to look at how the LINK will complement existing networks and partnerships and identify hard to reach groups.
6. As it begins to build its own work plan, consultation between the LINK, the Health Scrutiny Committee and other strategic partnerships in the city is key. Following on from the LINKs workshop in November 2008, representatives of the Health Scrutiny Committee, City of York Council, LINK and Healthy City Board met in January 2009 to discuss these matters further. It was agreed that

the guidelines for each constituent player were not yet completely clear and that further joint work planning was necessary.

7. Feasibility studies are presently conducted to gather information on newly registered scrutiny topics. This study is then presented to the Health Scrutiny Committee to enable them to make an informed decision on whether a scrutiny review should go ahead or not. In the immediate future it was suggested that the LINK could act as a consultee, and feed information into the feasibility studies via the Scrutiny Officer. Negotiations regarding the possibility of implementing this are still ongoing.
8. The LINK is due to have its Annual General Meeting (AGM) on 26<sup>th</sup> March 2009 when a formal steering group will be established.

#### Annual Health Check

9. The Annual Health Check is the system that the Healthcare Commission used to assess the performance of various NHS Trusts. In York this relates to the York Hospitals Foundation Trust, The Yorkshire Ambulance Service and North Yorkshire and York Primary Care Trust. For the first time the Annual Health Check will separately assess Primary Care Trusts in their roles as commissioners and providers of services.
10. Members of the Health Scrutiny Committee have agreed to submit commentaries on the three Trusts' declarations and this will be done in liaison with all the relevant Trusts in time for the submission deadline of 30<sup>th</sup> April 2009.

#### Quarterly Updates on Dental Provision

11. The Health Scrutiny Committee has a keen interest in dental provision within the York area. Following on from previous discussions with NYYPCT the Committee has now received its first update on the new style reporting template. There was still work to be done regarding how the information should be presented, especially in terms of illustrating trends and the geographical split of the information. Members have requested that the NYYPCT report back to the Committee on a quarterly basis.

#### Dementia Review

12. This has now been signed off by all the appropriate bodies and the Scrutiny Officer will shortly be circulating the report to all parties involved as well as those bodies suggested by SMC and the Executive.

#### Feasibility Studies

13. Since the last report back to SMC the Health Scrutiny Committee have received three feasibility reports on newly registered scrutiny topics. The Committee decided not to go ahead with these for the following reasons:



Outreach Workers

14. This topic was registered by Councillor James Alexander and concerned the scrutiny of the availability, funding and uniform distribution of access to outreach workers. The Committee decided not to proceed with the review at the present time but asked the Director of Housing and Adult Social Services to provide an update report at a later date detailing the outcome of discussions with stakeholders, representative agencies and providers about the commissioning of services and partnership working. On receipt of this report the Committee would then look at whether it was feasible to proceed with the topic.

Access to Dental Services

15. This topic was registered by Councillor Richard Moore and concerned access to dental services in York. The Committee decided to defer this topic until a further quarterly update on dental provision had been received from NYYPCT. At the meeting where this topic was discussed it came to light that the LINK may also put this on their work plan and in order not to duplicate work it was decided to wait until after their AGM in March 2009. Representatives of NYYPCT also informed the Committee that North Yorkshire County Council might well undertake some work in this area in summer 2009. Possibilities of running a joint scrutiny review would need to be explored. Some information on the system of 'Units of Dental Activity' was also requested, especially in relation to how Doncaster PCT implemented this.

Alcohol Reduction Strategy

16. This topic was registered by Councillor Susan Galloway and concerned the performance and value for money of the NYYPCT's alcohol treatment services, particularly in relation to the hospital admissions. After due consideration of all the evidence before them Members decided to request a briefing note from NYYPCT providing further information before making a decision on whether to proceed with this topic or not.

Other

17. Outside and informal events are a large part of Health Scrutiny. Various Members of the Committee and the Scrutiny Officer attend related external events wherever possible. The Committee now receive a quarterly information report outlining these. Events attended since the last report to SMC include a Members visit to York Hospital, a Scrutinising Health Inequalities Event and a half-day training on the Darzi Report.

General Work Planning

18. The Health Scrutiny Committee has an ongoing work plan, which is attached, at Annex A to this report. This is a fluid, working document and constantly changes to reflect the upcoming issues to be determined at future Committee meetings.

### Options

19. This report is for information only.

### Analysis

20. This report is for information only

### Corporate Values

21. This report is relevant to the following Corporate Value:

'Encouraging improvement in everything we do'

### Implications

22. There are no known Financial, HR, Equalities, Legal, Crime & Disorder, IT or other implications associated with this report.

### Risk Management

23. In compliance with the Council's risk management strategy, there are no risks associated with the recommendations in this report.

### Recommendations

24. Members are asked to note the report.

Reason: To inform Scrutiny Management Committee of the work and progress of the Health Scrutiny Committee.

### Contact Details

**Author:**

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01904 551714

**Chief Officer Responsible for the report:**

Quentin Baker  
Head of Civic, Democratic & Legal Services  
01904 551004

Report Approved



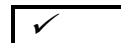
Date 09.02.2009

**Specialist Implications Officer(s)**

None

Wards Affected:

All



For further information please contact the author of the report

**Background Papers:**

None

**Annexes**

Annex A – Copy of the Current Work Plan for the Health Scrutiny Committee

Work Area	Tasks	Timeframe	Responsible Officer
LINks	<ul style="list-style-type: none"> <li>Participate in training and events in connection with the development of the LINk in conjunction with Host (North Bank Forum)</li> <li>Receive regular updates from Trusts</li> <li>Report back with a detailed working relationship between LINks, NBF &amp; the Health Scrutiny Committee</li> </ul>	<p>Ongoing</p> <p>Ongoing September 2009</p>	Nigel Burchell / Scrutiny Officer (as appropriate)
Dental Provision In York	<ul style="list-style-type: none"> <li>Receive regular update from NYYPCT</li> </ul>	May 2009	Scrutiny Officer together with appropriate persons from the PCT.
Annual Healthcheck	<ul style="list-style-type: none"> <li>Further update on the Annual Health Check &amp; preparation of the draft commentaries to submit to the various Trusts</li> </ul>	March 2009	Scrutiny Officer in conjunction with the three Trusts
Dementia Review Recommendation Tracking	<ul style="list-style-type: none"> <li>To receive an update from the PCT, York Hospital &amp; Ambulance Trust regarding the implementation of the Scrutiny Review recommendations.</li> </ul>	July 2009	Scrutiny Officer in conjunction with the three Trusts
General	<ul style="list-style-type: none"> <li>Health Scrutiny Networking Update</li> </ul>	May 2009	Scrutiny Officer
Outreach Workers (Proposed Scrutiny Topic)	To receive an update report detailing the outcome of discussions with stakeholders, representative agencies and providers about the commissioning of services and partnership working to provide these services; in order to ascertain whether a more broadly focused scrutiny review should be undertaken on this matter in the future.	TBC	Director of Housing and Adult Social Services
Alcohol Reduction Strategy (Proposed Scrutiny Topic)	<p>A joint briefing paper be prepared by the Primary Care Trust and the Hospital to include:</p> <ul style="list-style-type: none"> <li>Clarification as to the data that is currently collected</li> <li>Confirmation of targets and how these are reported (including the definition of an alcohol related hospital admission)</li> <li>Historical data</li> <li>Feedback from the pilot being carried out by Harrogate</li> </ul>	TBC	NYYPCT/Safer York Partnership/Scrutiny Officer

## Health Scrutiny Committee Work Plan 2008/09

## Annex A

	Accident and Emergency Department in respect of the electronic collection of data.		
Access to Dental Services (Proposed Scrutiny Topic)	That a briefing note be prepared regarding the arrangements that Doncaster PCT has put in place in respect of UDAs.	TBC	
Feasibility Reports	<ul style="list-style-type: none"> <li>To prepare feasibility reports for new topics submitted for review</li> </ul>	As and when required	Scrutiny Officer



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**Scrutiny Management Committee**  
Report of the Scrutiny Manager

**23 February 2009**

## **Annual Scrutiny Report**

### **Summary**

1. This report presents the annual scrutiny report from scrutiny services detailing all of the reviews completed between May 2006 – Dec 2008.

### **Background**

2. This committee is charged with monitoring overall performance in relation to scrutiny review work and providing an annual report to Full Council. The last annual report was produced in April 2006, and this was followed by a number of changes to the scrutiny function in York. The most significant change saw the disbanding of the scrutiny boards which aligned the Executive Member portfolios and their replacement with the current scrutiny structure of two standing scrutiny committees and the use of ad-hoc scrutiny committees for time limited reviews.
3. During the period May 2006 and April 2008, a decision was taken not to produce any Annual reports due to the limited number of completed reviews.

### **Consultation**

4. No consultation was required for the production of the annual report attached at Annex A, but consultation was carried out with all the relevant parties as part of each of the completed reviews documented within the annual report.

### **Options**

5. Members having considered the Annual Report at Annex A, may choose to:
  - approve the report for presentation to the next meeting of Full Council
  - agree any amendments required to the report prior to its presentation to Full Council

### **Analysis**

6. The report provides readers with an understanding of the overview and scrutiny function and explains how each of the completed reviews related to the corporate strategy, and which of the improvement priorities they supported.

7. The report also outlines the forthcoming changes to the scrutiny function in York and provides information on the new scrutiny committees which are to be formed as a result of the planned changes to the decision making structure i.e. the removal of EMAPs.

### **Corporate Priorities**

8. The production of an annual Scrutiny Report supports the following direction statement of the Council - 'We will promote cohesive and inclusive communities'. Within the report, there is information on how each of the completed reviews supported the council's improvement priorities and direction statements.

### **Implications**

9. There are no known Legal, HR and financial implication associated with the recommendation within this report

### **Risk Management**

10. There are no known risks associated with the recommendation in this report.

### **Recommendations**

11. Having considered the information within this covering report and Annex A, Members are asked to approve the Annual Scrutiny Report which covers the period between May 2006 and December 2008

Reason: To enable its presentation to Full Council, in line with the constitutional requirements.

### **Contact Details**

**Author:**

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Tel No. 01904 552063

**Chief Officer Responsible for the report:**

Dawn Steel  
Scrutiny Manager

**Report Approved**



**Date** 13 February 2009

**Specialist Implications Officer(s)** - None

**Wards Affected:**

**All**

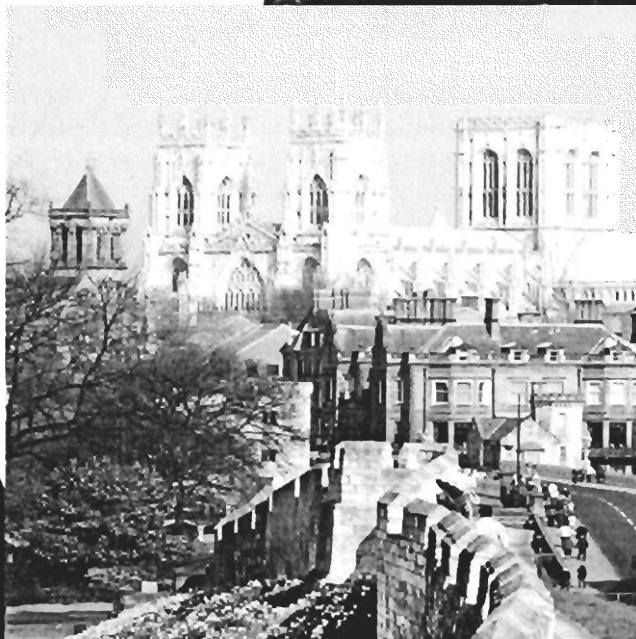
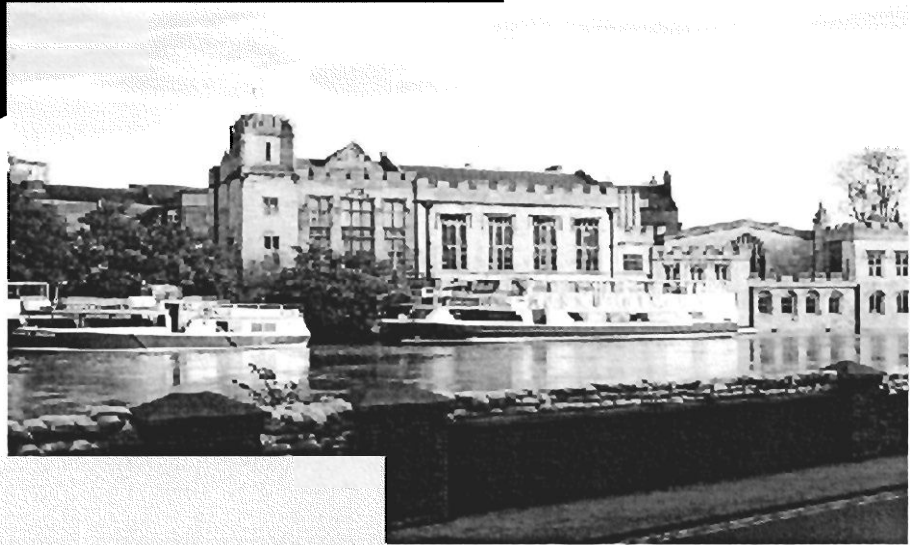


**For further information please contact the author of the report**

**Background Papers:** Final Reports for each of the completed reviews shown listed within the annual Report at Annex A

### **Annexes**

**Annex A** – Annual Scrutiny Report (May 2006 – December 2008)



# Annual Scrutiny Report

May 2006 - December  
2008

## INTRODUCTION

Welcome to this the third annual report of Scrutiny Management Committee.

Introduced as part of the Local Government Act of 2000, Overview & Scrutiny Committees provide the necessary checks and balances which are vital to the executive decision making process and should play a major role in developing council policies for the future. They are made up of backbench members (i.e. non executive) who act as advocates for their communities and scrutineers on behalf of their electors. They can scrutinise anything they like on behalf of York residents – any issue they regard of concern.

Since 2000, the structure of Overview & Scrutiny in York has evolved. The period between May 2006 and December 2008, saw a number of changes and as a result, only a small number of reviews were completed during that time. Therefore, although it is our usual practice to produce an annual report, in this instance the decision was taken to produce only one report. Notwithstanding this, the completed reviews have all been worthwhile and have I am sure influenced the workings of the Council.

We are currently in the process of revising the scrutiny structure again to enable it to respond to forthcoming changes in Government legislation. These changes will enable Overview & Scrutiny Committees to scrutinise a number of the Council's partners and external service providers, and I hope that the opportunities afforded by these additional powers will be used to benefit the residents of York.

I look forward to the introduction of the new structure as I believe it will be a very effective Scrutiny regime, and I commend this report to you.

**John Galvin,**  
**Chair of Scrutiny Management Committee**



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For further details on any of the information contained within this report or for copies of the final reports produced for each of the completed reviews, please contact:

**Scrutiny Services**  
**The Guildhall**  
**York**  
**YO1 9QN**  
**Tel No. 01904 552063**

## What is Overview & Scrutiny?

Overview & Scrutiny is a process by which elected Councillors make sure that the Council's decision-makers are accountable to local people for improving the city and the lives of its residents.

Overview & Scrutiny Committees do not make decisions but seek to influence those who do, by considering the major issues affecting the city and by making recommendations to the Executive about how services can be improved.

Overview & Scrutiny Committee have a number of different roles:

- representing the views of York residents about the services they receive
- holding the Council's Executive to account and reviewing their decisions
- helping to introduce new policies and developing existing ones
- monitoring how services perform

Overview & Scrutiny Committees are made up of Councillors from all political parties who represent the city's wards. Meetings are generally held monthly and are open to the public. Currently the Council has the following scrutiny committees:

**Health Scrutiny Committee** can review and scrutinise any matter relating to the planning, provision and operation of health services in the area.

**Scrutiny Management Committee** co-ordinates the work of all the scrutiny committees. It considers all registered topics that fall outside of the remit of the two standing scrutiny committees listed below, and decides whether to establish an ad-hoc scrutiny committee to carry out a review. It also considers any decision 'called-in' for scrutiny in line with the powers set out in the Local Government Act 2000.

**Education Scrutiny Committee** can review and scrutinise the performance of the Local Authority in relation to the planning, provision and operation of any matter relating to Education.

## Scrutiny & The Corporate Strategy

The refreshed Corporate Strategy sets out both the council's priorities for improvement over the next four years and a strong vision for the future to guide change over the next ten years.

How each scrutiny review relates to, and supports those improvement priorities is clearly defined in each scrutiny report produced.

In some cases the review will evidence the Council's 'Values' i.e.

- Delivering what customers want
- Providing strong leadership
- Supporting and Developing people
- Encouraging improvement in everything the Council does

In other cases the review will support a future direction planned for the Council e.g. 'The Council will seek to place environmental sustainability at the heart of everything it does'

This Annual Review is unique in that it covers a period from May 2006 to December 2008, during which time the scrutiny function in York has seen many changes.

Those changes include revisions to the protocol governing how we carry out scrutiny, the introduction of a new topic registration form for Members, and new ways of presenting information gathered during a scrutiny review.

One significant change requires Members registering a new scrutiny topic to indicate how it fits with three of the **eligibility criteria** set out in the new

topic registration form.

**As a general rule**, topics only proceed to review if they meet three of the criteria below:

1. Public Interest
2. Under Performance / Service Dissatisfaction
3. In keeping with Corporate Priorities
4. Level of Risk
5. Service Efficiency
6. National / Regional / Local Significance

**However**, where it is adequately demonstrated that a topic is of significant public interest and fits with the first criteria but does not meet three, Scrutiny Management Committee may still decide to allocate the topic for review.

## COMPLETED SCRUTINY REVIEWS

### HEALTH

- . Dementia Review

Plus, information on LINKs & the Annual Health Check

### EDUCATION

- . Extended Schools Review
- . Home to School Transport Review
- . School Governors Review

### POLICY DEVELOPMENT

- . Inclusive Decision Making Review
- . Tanghall Area Asset Management Review

### HOLDING THE EXECUTIVE TO ACCOUNT

- . Highways Review—Part A
- . Highways Review—Part B
- . Barbican Review

### ENVIRONMENTAL SUSTAINABILITY

- . Street Lighting (Strategic Management & Procurement to Reduce Carbon Dioxide Emissions and Waste) Review
- . Recycling & Re-use Review
- . Reducing Carbon Emissions Review
- . Guidance For Sustainable Development Review

## HEALTH SCRUTINY

### Dementia Review

This review, completed in November 2008 looked at the experiences of older people with mental health problems (and their families/carers) who had accessed general health services for secondary care .

Supported by officers from the Council's Housing & Adult Social Services Directorate, North Yorkshire & York Primary Care Trust, York Hospital Foundation Trust, Yorkshire Ambulance Service, Local GPs, various voluntary organisations and local residents, it recommended to the York Hospitals Trust, North Yorkshire & York Primary Care Trust and Yorkshire Ambulance Service that they:

- Develop & implement the Psychiatric Liaison Service, review staff training;
- Review training for those working with people with dementia;
- Acknowledge the positive contributions made by a patient's carer & family;
- Work with the relevant voluntary organisations to develop new initiatives and promote awareness of dementia;
- Adopt a flexible approach during a patient's stay in hospital;
- Try to resolve ongoing issues surrounding the implementation of a universal 'Shared Care Record System';



The Dementia Review supported the following Corporate priority:  
'Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest.'

### LINKs

LINKs are independent, formally constituted bodies that have replaced Public and Patient Forums, previously attached to all local NHS Trusts. Government legislation has required local authorities to commission a Host organisation to enable support for LINKs and its activities. For the next three years, North Bank Forum for Voluntary Organisations have been commissioned to provide the LINK in York as from 1<sup>st</sup> April 2008. The Health Scrutiny Committee have been working closely with North Bank Forum to establish the LINK in York and a LINK Partnership Co-ordinator has been appointed.

### Annual Health Check

The Annual Health Check is the system that the Healthcare Commission uses to assess the performance of all NHS Trusts in England. The declarations from each Trust are supplemented by third party comments from partners in the community, and in the past few years the Health Scrutiny Committee have taken part in this process.

## EDUCATION SCRUTINY

### Extended Schools Review

The aim of this review completed in July 2006, was to recommend how the Council could work with partners across the City and how schools could work together, to ensure that children and communities received the best possible Extended Schools service. As a result the Committee called for:

- . a review of the model of extended schools provision, in order that it align with and reflect the core offer of May 2006
- . the creation of profiles of local community need - this initiated an audit with parents across the city to support the planning of new Extended Services in schools.
- . Appropriate training and support for school staff and governors to ensure every school in York was working as an extended school by 2010
- . The council to bid to be a Pathfinder authority in order to improve parenting support and provide longer free sessions for 3-4 year olds in education, care and play

The review was supported by officers from the 'Early Years & Extended Schools' teams and a number of primary school Headteachers.



### Home to School Transport Review

The remit for this review was to investigate what improvements could be made to the safety of buses transporting school pupils to primary schools. It aimed to make recommendations which in the long-term would improve the quality of the buses used, improve safety, improve behaviour, reduce traffic congestion and encourage the uptake of places on school buses. In April 2007 a number of recommendations were approved including:



- .where possible contracts should be let for more than 5 years in order to encourage contractors to invest in higher quality vehicles
- .A number of minimum standards for all future home to school transport buses should be set
- .The same high standards for bus contracts should cover all education establishments
- .The use of good behaviour contracts, designated seats and the use of bus prefects to discourage unruly behaviour by pupils

The contributions from transport companies, parents, governors and headteachers of the schools involved, were invaluable and enabled the Committee to identify clear achievable targets.



These completed reviews address the following Improvement Priorities:

- Improve the life chances of the most disadvantaged and disaffected children, young people and families in the city
- Increase the use of public and other environmentally friendly modes of transport

They also supported a number of the Council's Direction Statements e.g.:

- We will promote cohesive and inclusive communities
- We will listen to communities and ensure people have a greater say in deciding local priorities

### School Governors Review

This review was aimed at encouraging an improved level of community involvement in schools, maximising Governors' skills and improving the diversity of governing bodies.

As part of the review a number of surveys were carried out involving parents, schools and governors. The findings identified a number of improvements to working methods were . For example, an information guide identifying the most effective methods for finding and recruiting community governors was created and distributed to all York schools, and an 'Exit Questionnaire' was created for use in identifying governors motivation for leaving their post. Plus, improvements were made to the Governor Support & Development Service database.

As a result of the review, the annual governors' conference was reinstated and it was agreed that training would be made available either:

- via the generic core training
- Online, or;
- whole governor body



On completion of this review in July 2008, the Committee acknowledged the significant voluntary contribution of school governors and the work of officers in the Governor Support & Development Service team in supporting the review.

## POLICY DEVELOPMENT

### **Inclusive Decision Making Review—completed March 2006**

This review looked at how community groups participate in decision-making in order to establish a base for all sections of the community to become involved in the decision making process, ensure that access to the decision making process is clear, coherent and consistent and to feed into the constitutional review any recommendations about the future structure of decision making bodies.

The Scrutiny Panel co-opted a number of community representatives to sit on the panel, and others were invited to contribute to specific discussion topics.

As a result of the work of the review a Social Inclusion Working Group was set up to advise the Executive on all matters relating to equalities issues, promote awareness of those issues, and ensure improved access and facilities for all service users.

**DECISION  
MAKING IN YORK  
HOW TO GET  
INVOLVED**

### **Tanghall Area Asset Management Review—completed July 2008**

As part of this review, an audit of council owned property in the Tanghall area was completed to identify whether they and council owned land in the area could be better used in both community and resource terms. The review sought the involvement of local residents and school children and the findings informed the pilot Asset Management Plan produced for the area.

As a result of the review, it is now standard practice to include area based consultation at appropriate locations within the community in all instances ( involving residents, key stakeholders, and the Ward Committee). The cost effectiveness of the consultation method and the particular circumstances of the area being considered are also taken into account as standard when making the decision in each case.

Each of these reviews supported a number of the direction statements set out in the Council's Corporate Strategy:

'We will listen to communities and ensure that people have a greater say in deciding local priorities'

'We will be clear about what we will do to meet the needs of our communities and then deliver the best quality services that we can afford' and ;

'We will improve the actual and perceived condition and appearance of the city's streets, housing estates & publicly accessible spaces'



## HOLDING THE EXECUTIVE TO ACCOUNT

### Barbican Review

The review investigated the arrangements surrounding the sale of the Barbican site, with the purpose of learning some key lessons for the future, in the event of developments of a similar nature or scope being proposed. It was agreed that although it was realistic to take two years to formulate a proposal and not unreasonable for a new administration to exercise its democratic right and change the proposal, and although each decision taken in relation to the sale had been taken in good faith, the delays in making those decisions, the longevity of unforeseen legal action and the shift in land values, had resulted in a significant reduction in capital receipt to the Council. Therefore, taking the project as a whole it was found that best value had not been achieved, and there might have been a more effective way of working with the pressure groups.

As a result, a corporate approach for working with pressure groups was set and all future projects have a regularly reviewed, robust system of risk management which is updated throughout the period of each project.



### Highways Review

Parts A & B, completed in April 2008

Part A of the review aimed to contribute to the development and establishment of a strategic and effective highways maintenance procurement strategy and understand the cost implications associated with the PFI bid and its outcome. The findings gave direction to the decision on whether or not to proceed with the PFI process, and identified the key issues that should be taken into consideration when deciding upon an alternative approach should the PFI outcome be unsuccessful.



In the second part of the review, the Committee examined how the Council could fund the PFI with the aim of gaining an understanding of the alleged financial loss to the council caused by delays in the procurement process since 2003. The findings showed that although there had been an impact on the repayments to the Venture Fund caused by the delays in implementing the actions agreed as part of the Best Value Review, those delays had been necessary. Also, that the total savings made in Highways Maintenance since the Best Value Review were significantly higher than those identified. Therefore, there had been no financial loss to the council caused by those delays.

Since 2005, Scrutiny in York has been promoting robust approaches to carbon reduction and more sustainable energy sourcing across the authority's own activities. A number of reviews have been carried out in support of these approaches, covering all sectors of the authority's operations except transportation fuel.

### Street Lighting (Strategic Management & Procurement to Reduce Carbon Dioxide Emissions & Waste) Review

This review which developed a more robust and holistic strategic approach to delivering carbon reduction and energy sourcing, was completed in November 2006. An audited inventory of the street lighting stock was produced and used to renegotiate the contract for electricity supply. The Council also renegotiated the rate charged to the authority for the lamp stock electricity supply, to minimise financial costs and ensure that the contract to CYC included upwards of 20% renewable sourcing with a target of 100% where the supplier was able to provide renewable sourced energy.

The review also acknowledged the need to monitor, manage and achieve carbon savings in line with:

1. The Energy Hierarchy
2. Future development of a Climate Change Strategy
3. Recent changes to the National Planning Policy framework promoting greater sustainability
4. The Audit Commission's aims for increased sustainable assessment in the Comprehensive Performance Assessment
5. Gershon efficiencies reporting



These completed reviews underpinned the delivery of the Corporate Strategy. In particular they addressed the following Improvement Priorities:

- To reduce the environmental impact of council activities and encourage, empower and promote others to do the same
- To decrease the tonnage of biodegradable and recyclable products going to landfill,
- To Increase the use of public and other environmentally friendly modes of transport,
- To Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces
- To Improve the way the council and its partners work together to deliver better services for the people who live in York
- To Improve efficiency and reduce waste to free-up more resources
- To Improve the quality & availability of decent, affordable homes in the city

## Reducing Carbon Emissions Review

This review completed in November 2006, sought to develop an approach to reducing carbon dioxide (CO<sub>2</sub>) emissions from York's public and private sector housing.

The work focussed on finding ways to make York's overall SAP rating higher and our eco-footprint less. It looked at methods of insulating homes and ways in which householders, both in the public and private sector (rented and owner-occupied) could be encouraged to live in better insulated

and more sustainable accommodation and derive full benefit from the available grant support which could enable the less well off to keep up with this general change in national behaviour.

The Committee received invaluable assistance and technical support from internal officers, regional partners and other Authorities, and the findings showed that at that time, almost 1 in 4 households in York were living in fuel poverty, rising to almost 1 in three households in the poorest wards. The recommendations therefore referred to both reducing CO<sub>2</sub> emissions and fuel poverty.

Subsequently, the Council's Sustainability and Energy Champion reported back on work done by the Energy Efficiency Advice Centre and Energy Saving Trust for York's Strategy in response to the Nottingham Declaration, and on progress made with the Council's energy efficiency and renewable energy objectives.



## Guidance For Sustainable Development Review

Completed in March 2007, this review represented two years' work by the Scrutiny Committee. It enabled Members to learn about the issues and in 2005 helped to inform:

- . the structure of the sustainable and renewable energy sections of the draft Local Plan
- . the draft Special Planning Guidance Report

It provided the opportunity for dialogue between the local and national heritage groups and the council on the subject of environmental sustainabil-

ity, and with architects and developers, particularly those involved in the restoration of old buildings. It also investigated how the city's Building Control team might be involved in encouraging more environmentally sustainable construction.

The Committee received invaluable assistance and technical support from Architects, Heritage Groups, Developers and Council Officers, and the review resulted in a wide array of recommendations e.g. that the city's planning documents, including the Local Development Framework, no longer simply encouraged action but required action on energy efficiency, water efficiency, and use of renewable energy for all new buildings and improved energy efficiency for historic buildings.

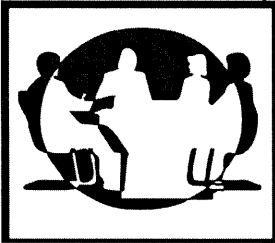


## The Future of Overview & Scrutiny In York

City of York Council (CYC) has recently carried out a review of its arrangements for facilitating Overview and Scrutiny. It was felt that some changes to the scrutiny structure were required in order to bring it more in line with best practice at other local authorities and to improve its effectiveness, particularly with regard to its contribution to policy development.

As a result of the review, a decision was taken in November 2008, to replace the existing Scrutiny Committees with an increased number of alternative standing Scrutiny Committees, and remove Executive Member Advisory Panels (EMAPs) from the decision making structure.

A Working Group was set up to advise on the implementation of the restructure and the constitutional changes required. In regard to the Overview & Scrutiny function, it looked at the role of Scrutiny Management Committee and the common functions and terms of reference for the new standing Scrutiny Committees.



In January 2009, Full Council agreed the formation of the following **five** standing Overview & Scrutiny (O&S) Committees:

### Health Committee

responsible for the scrutiny of:

- Adults (Older People, People with Physical Disabilities & Sensory Impairments)
- Adults Mental Health
- Adults Learning Disability
- the impact of the services and policies of key partners on the health of the City's population
- arrangements made by the Council and local NHS bodies for public health within the City

Plus, the committee will undertake all of the Council's statutory functions in accordance with section 7 of the Health and Social Care Act 2001 and section 244 of the National Health Service Act 2006 and associated regulations

### Effective Organisation Committee

responsible for the scrutiny of:

- Marketing & Communications
- Human Resources
- Legal, Civic & Democratic Services
- Strategic Resources (inc Finance, ICT, Procurement and Property)
- Audit & Risk

### City Development Committee

responsible for the scrutiny of:

- Economic Development
- Planning,
- City Development & Transport, Waste Management Strategy (Client),
- Licensing & Regulation
- Housing Landlord & Housing General

### **Community Safety Committee**

responsible for the scrutiny of:

- 7 Environmental Health
- 7 Trading Standards
- 7 Highways Maintenance Services
- 7 Safer City Initiative
- 7 Street Scene,
- 7 Cleansing Services
- 7 Waste Collection Services
- 7 Building Cleaning Services
- 7 Street Environment
- 7 Bereavement Services
- 7 Youth Offending Team

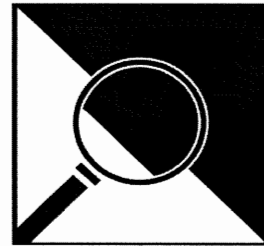
### **Learning & Culture Committee**

responsible for the scrutiny of:

- 7 Early Years & Access
- 7 Schools & Communities
- 7 Education Development Services
- 7 School Governance Service
- 7 Special Educational Needs
- 7 Adult Education
- 7 Education Planning & Resources
- 7 Young People's Service
- 7 Arts & Cultural Services
- 7 Libraries & Heritage Services
- 7 Parks & Open Spaces
- 7 Sports & Active Leisure

Each of these O&S Committees have their own remit based on their areas of responsibility, and can:

- 7 Comment on the annual budget proposals and elements of the Corporate Strategy.
- 7 Scrutinise issues identified from the Executive's Forward Plan, prior to a decision being made
- 7 Monitor the Council's financial performance during the year
- 7 Monitor progress on the relevant Council Priorities and advise on potential future priorities
- 7 Maintain an annual work programme and ensure the efficient use of resources
- 7 Identify aspects of the Council's operation and delivery of services, and/or those of the Council's statutory partners, suitable for review
- 7 Carry out specific topic based reviews or set up a Task Group from within their membership to conduct a review on their behalf
- 7 Establish a joint Task Group with another Authority to undertake a joint review
- 7 Monitor implementation of approved recommendations from completed reviews



The changes to the Overview & Scrutiny function, and decision making restructure will come into effect at the beginning of the new municipal year in May 2009.

If there are any existing reviews still ongoing at that time, the Ad-hoc Scrutiny Committee currently carrying out the review, will continue to do so until the review is finalised. Only then will that Committee be disbanded.



CITY OF  
**YORK**  
COUNCIL

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This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جا سکتی ہیں۔ (Urdu)

☎ (01904) 551550



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## Scrutiny Management Committee

23<sup>rd</sup> February 2009

Report of the Head of Civic, Legal & Democratic Services

### Protocol for Joint Scrutiny Reviews

#### Summary

1. The purpose of this report is to present Members with a revised protocol to enable York to host joint scrutiny reviews should the need arise. A draft of the protocol is attached at Annex A to this report.

#### Background

2. A draft protocol was presented to Members at Scrutiny Management Committee on 17th November 2008. Members agreed to adopt the protocol on the proviso that minor alterations regarding the following be added to the protocol:
  - a. How proportionality would be achieved for the City of York Council membership;
  - b. How the arrangements would apply if more than two authorities were involved.
3. Members requested that the report be presented to them again once these alterations had been made.

#### Summary of Amendments

4. Joint committees will be composed of Councillors drawn from local authorities in the following terms (these are set out in paragraph 3.2 of the protocol):
  - i. Where 9 or more local authorities participate in a joint scrutiny committee - The Chair (or Chair's representative) of each participating authority's relevant Overview & Scrutiny Committee will become a Member.
  - ii. Where 4 to 8 local authorities participate – then each participating authority will nominate 2 Councillors from their relevant Overview & Scrutiny Committee. [In York, under the current Council composition this would entitle the 2 largest groups to nominate 1 Member each]
  - iii. Where 3 local authorities participate then each participating authority will nominate 4 Councillors from their relevant Overview & Scrutiny Committee.

[In York, under the current Council composition this would entitle the 2 largest groups to nominate 1 Member each]

- iv. Where 2 local authorities participate then the Host authority will nominate 4 Councillors from their relevant Overview & Scrutiny Committee and the other authority will nominate 3 Councillors from their relevant Overview & Scrutiny Committee. [In York, under the current Council composition this would entitle the 2 largest groups to nominate 1 Member each]<sup>1</sup>

### **Consultation**

5. Consultation would take place with the relevant local authority(s) at the time a potential review topic was proposed. North Yorkshire County Council is currently being consulted in relation to both this protocol and a scrutiny topic submitted by Councillor D'Agorne.
6. To date the draft protocol has not been seen by other local authorities; so should the need arise for a joint scrutiny review to take place then all participating authorities would need to agree to this protocol being used.

### **Options**

7. Members have the following option:

Adopt the amended protocol for joint scrutiny reviews with or without further amendment.

### **Analysis**

8. As detailed in paragraph 3.1 of the protocol each participating local authority should ensure that the Councillors it nominates reflects its own political balance. However any local authority can decide to waive its political balance requirements in order to reflect more appropriate representation.
9. Paragraph 4 of this report details the amendments that Scrutiny Management Committee requested at a previous meeting. By agreeing these amendments City of York Council would be in a position to host joint scrutiny reviews with any number of other local authorities should the need arise.

### **Corporate Strategy 2007-2011**

10. The proposals in this report relate to the two Direction Statements:
  - We want services to be provided by whoever can best meet the needs of our customers.
  - We will be an outward looking Council, working across boundaries for the people of York.

---

<sup>1</sup> In relation to (ii), (iii) & (iv) of paragraph 4 of this report – unless strict proportionality is waived in compliance with paragraph 3.1 of the Protocol.



## **Implications**

11. **Financial** – There are no direct financial implications from this report. Any administrative costs arising from the joint scrutiny work would be either met by the host organisation or, if more substantial, be shared between those authorities that are working on any particular investigation. Arrangements and terms of reference would need to be agreed between relevant authorities if a joint review took place.
12. **Human Resources (HR)** - There are no known Human Resources implications associated with this report. However, in York leading and hosting a joint review under the protocol, scrutiny administrative support would need to be identified.
13. **Legal** – Section 21 of the Local Government Act 2000 gives Overview & Scrutiny bodies the powers to establish joint committees with other local authorities to undertake scrutiny functions.
14. Constitutionally Scrutiny Management Committee has the power to establish joint committees with other local authorities/public bodies to undertake scrutiny reviews and to exercise the scrutiny function. They also have the authority to delegate functions of overview and scrutiny of cross-boundary topics to other local authorities.
15. Under the new scrutiny arrangements (taking effect after Annual Council meeting in May 2009), provision has been made for joint scrutiny task groups to be established. Arrangements contained within the attached protocol for hosting such reviews would be equally available under the new scrutiny system.
16. There are no known equalities, crime & disorder, information technology or property implications associated with the recommendations in this report.

## **Risk Management**

17. In compliance with the Council's risk management strategy there are no known risks associated with the recommendations in this report.

## **Recommendations**

18. Members are asked to agree to the revisions to the protocol as set out in Annex A to this report.

REASON: To ensure Members can fully take part in scrutiny work that may impact on more than one geographical area.

**Contact Details**

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Report Approved

Date 09.02.09

**Specialist Implications Officer(s)**

**Legal**

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Wards Affected:

All

For further information please contact the author of the report

**Background Papers:**

None

**Annexes**

Annex A – Joint protocol for scrutiny reviews.

## DRAFT

### PROTOCOL FOR HOSTING JOINT SCRUTINY COMMITTEES

#### 1.0 PRINCIPLES FOR JOINT SCRUTINY

- 1.1 The basis of joint scrutiny will be co-operation and partnership with a mutual understanding of the following aims:
- To improve the visibility of overview and scrutiny regionally
  - To work together on shared interests and to share resources and experiences where appropriate
- 1.2 The Local Authorities will be willing to share knowledge, respond to requests for information and carry out their duties in an atmosphere of courtesy and respect in accordance with their Codes of Conduct. Personal and prejudicial interests will be declared in all cases, in accordance with the Code of Conduct.
- 1.3 The scrutiny process will be open and transparent in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000 and meetings will be held in public (subject to the expressed wishes of any jointly established Committees in specially convened informal session). Only information that is expressly defined in regulations to be confidential or exempt from publication will be considered in private.
- 1.4 Different approaches to scrutiny reviews may be taken in each case. A Joint Committee will seek to act as inclusively as possible and will take evidence from a wide range of opinion. Attempts will be made to ascertain the views of hard to reach groups, young people and the general public.

#### 2.0 DELEGATED SCRUTINY

- 2.1 Regulations enable a local authority to arrange for its overview and scrutiny functions to be undertaken by a committee from another local authority. Delegation may occur where a local authority believes that another may be better placed to consider a particular local priority and, importantly, the latter agrees to exercise that function.

##### **Delegated Powers**

- 2.2 When and where such delegation takes place, the full powers of overview and scrutiny shall be given to the delegated committee, but only in relation to the specific delegated function (i.e. a specific review).

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### Terms of Reference

- 2.3 In such circumstances, clear terms of reference, clarity about the scope and methods of scrutiny to be used must be determined between the affected local authorities. Formal terms of reference should be drafted and formally agreed by the respective Overview and Scrutiny Committees of the affected local authorities.
- 2.4 The Host authority (the authority undertaking the review exercise) will be responsible for conducting scrutiny in accordance with its own set procedures and will be expected to regularly communicate with the delegating authority (ies).

### **3.0 JOINT SCRUTINY COMMITTEES**

#### **Membership of a Joint Scrutiny Committee**

- 3.1 Under the Local Government Act 2000 provisions, Overview and Scrutiny Committees must generally reflect the make up of full Council. Consequently, when establishing a Joint Scrutiny Committee, each participating local authority should ensure that those Councillors it nominates reflects its own political balance. However any Local Authority can decide to waive its political balance requirements in order to reflect more appropriate representation.
- 3.2 In accordance with the above, Joint Committees will be composed of Councillors drawn from local authorities in the following terms: -
- Where 9 or more local authorities participate in a Joint Scrutiny Committee – The Chair (or Chair's representative) of each participating authority's relevant Overview & Scrutiny Committee will become a Member.
  - Where 4 to 8 local authorities participate – then each participating authority will nominate 2 Councillors from their relevant Overview & Scrutiny Committee.
  - Where 3 local authorities participate then each participating authority will nominate 4 Councillors from their relevant Overview & Scrutiny Committee.
  - Where two local authorities participate then the Host authority will nominate 4 Councillors from their relevant Overview and Scrutiny Committee and the other authority 3 Councillors from their relevant Overview and Scrutiny Committee.
- 3.3 Each local authority should make a decision as to whether it should seek approval from its respective full Council or other appropriate body to delegate authority to its relevant Overview and Scrutiny Committee (or another appropriate body) to nominate Councillors on a proportional basis to a Joint Scrutiny Committee.

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- 3.4 From time to time and where appropriate, the Joint Scrutiny Committee may appoint non-voting co-optees for the duration of a review.

### **Lead Authority and Chair**

- 3.5 Where a Joint Scrutiny Committee considers a review topic, the delegated (Host) authority would take the lead in terms of organising and Chairing the joint committee.
- 3.6 Selection of a Host authority, should where possible, be chosen by mutual agreement by the local authorities involved and take into account both capacity to service a Joint Scrutiny Committee and available resources. Additionally, the following criteria should guide determination of the Host Authority:
- The local authority within whose area local communities will be most affected; or if that is evenly spread;
  - The local authority within whose area the service being affected is predominantly based

### **Operating Procedures**

- 3.7 Any Joint Committee will conduct its business in accordance with the Overview and Scrutiny Committee Procedure Rules of the Lead Authority.
- 3.8 In hosting, this Authority will service and administer the scrutiny exercise and liaise with the other affected local authorities.
- 3.9 In hosting, this Authority will draw up a draft terms of reference and timetable for the scrutiny exercise, for approval by the Joint Scrutiny Committee at its first meeting. In hosting, this Authority will also have responsibility for arranging meetings, co-ordinating papers in respect of its agenda and drafting the final report.

### **Meetings of the Joint Scrutiny Committee**

- 3.10 At the first meeting of any new inquiry, the Joint Scrutiny Committee will determine:
- Terms of reference of the inquiry;
  - Number of sessions required;
  - Timetable of meetings & venue.

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### **Reports of the Joint Scrutiny Committee**

- 3.11 At the conclusion of an Inquiry the Joint Scrutiny Committee shall produce a written report and recommendations, which shall include:
- an explanation of the matter reviewed or scrutinised
  - a summary of the evidence considered
  - a list of the participants involved in the review or scrutiny; and
  - any recommendations on the matter reviewed or scrutinised.
- 3.12 Reports shall be agreed by a majority of members of the Joint Scrutiny Committee.
- 3.13 Reports shall be sent to all relevant local authorities, along with any other bodies determined by the Joint Scrutiny Committee and Host Authority.

### **Minority reports**

- 3.14 Where a member of a Joint Scrutiny Committee does not agree with the content of the Committee's report, they may produce a report setting out their findings and recommendations and such a report will form an Appendix to the Joint Scrutiny Committee's report.